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HOUSE MEMORIAL 3

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Ray Begaye

A MEMORIAL

REQUESTING THAT THE PUBLIC EDUCATION DEPARTMENT AUDIT BILINGUAL
EDUCATION PROGRAMS IN PUBLIC SCHOOLS.

WHEREAS, over the last three fiscal years, while state
bilingual education program funding has increased three percent
overall, bilingual education program funding for each student
has decreased nine percent; and

WHEREAS, over the last three fiscal years, while the
number of students whose home language is not English has
increased twenty percent, the number of students classified as
having limited English proficiency has decreased four percent;
and

WHEREAS, during the 2001-2002 school year, New Mexico
served approximately twenty percent of its statewide student
population through limited English proficiency services, and

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1 the only state serving a higher percentage of limited English
2 proficiency students was California, which serves approximately
3 twenty-five percent of its statewide student population through
4 those services; and

5 WHEREAS, the state's bilingual education program goal is
6 to develop a student's literacy skills in both English and the
7 home language; and

8 WHEREAS, New Mexico is not currently funding its bilingual
9 education program according to the mandates of the Bilingual
10 Multicultural Education Act, which requires that the state fund
11 programs for students in kindergarten through third grade for
12 whom there is an identifiable need to improve language
13 capabilities before funding those programs at higher grade
14 levels; and

15 WHEREAS, expenditure data reported to the public education
16 department by school districts is insufficient to determine the
17 cost of bilingual education and does not show how much of the
18 state equalization guarantee funding is actually spent on the
19 program; and

20 WHEREAS, according to the 2004 legislative finance
21 committee audit of bilingual education, school districts do not
22 fully understand how to properly assess, place and monitor
23 students in bilingual education programs so that the students
24 may become academically successful; and

25 WHEREAS, bilingual program participation is inaccurately

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1 reported by school districts, including that:

2 A. ten percent of students reported as enrolled
3 were not enrolled;

4 B. five percent of students reported as not
5 enrolled were enrolled;

6 C. nineteen percent of assessment dates were
7 incorrect;

8 D. nine percent of students were incorrectly
9 characterized as limited English proficient students;

10 E. nine percent of students were incorrectly
11 characterized as fluent English proficient students who have a
12 primary language other than English but are able to speak,
13 read, write and understand English at levels comparable to
14 their grade-level English proficient peers; and

15 F. sixteen percent of assessment dates were not
16 reported; and

17 WHEREAS, inaccurate reporting on students in bilingual
18 programming has a direct impact on state and federal funding;

19 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
20 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the public
21 education department be requested to conduct audits of all
22 public schools with bilingual programs; and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the secretary of public education, the state
25 director of bilingual and multicultural education, the New

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1 Mexico office of Indian affairs and the interim legislative
2 Indian affairs committee.

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